

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

GOFORIT ENTERTAINMENT, LLC, §
§
Plaintiff-counterdefendant, § § Civil Action No. 3:08-CV-2011-D
VS. §
§
DIGIMEDIA.COM L.P., et al., §
§
Defendants-counterplaintiffs. §

JUDGMENT

For the reasons set out in a memorandum opinion and order filed October 25, 2010, and orders filed January 26, 2011 and February 28, 2011, and the clerk of court having entered a default in favor of defendants-counterplaintiffs Digimedia.com L.P. (“Digimedia”), CyberFusion.com L.P. (“CyberFusion”), HappyDays, Inc. (“HappyDays”), Digimedia.com Management, Inc., and Scott Day on their counterclaim against plaintiff-counterdefendant GoForIt Entertainment, LLC (“GEL”), it is ordered and adjudged as follows.

I

The claims of GEL against defendants-counterplaintiffs are dismissed with prejudice, and GEL’s action against defendants-counterplaintiffs is dismissed with prejudice.

II

The court declares that defendants-counterplaintiffs

- A. have not violated 15 U.S.C. § 1125(d);
- B. have not violated 15 U.S.C. § 1114(1);
- C. have not violated 15 U.S.C. §1125(a);
- D. have not infringed on GEL’s common law rights in the GOFORIT mark; and

E. none of the alleged actions of defendants-counterplaintiffs constituted unfair competition with GEL.

III

Digimedia, HappyDays, and CyberFusion shall recover judgment from GEL for damages in the sum of \$55,361.51 (i.e., \$54,216.00 + \$1,145.51) for reverse domain name hijacking under 15 U.S.C. § 1114(2)(d)(iv) and tortious interference.

IV

Digimedia, HappyDays, and CyberFusion shall recover the sum of \$48,356.15 in attorney's fees for GEL's reverse domain name hijacking under 15 U.S.C. § 1114(2)(d)(iv).

V

The taxable costs of court of defendants-counterplaintiffs, as calculated by the clerk of court, are assessed against GEL.

Done at Dallas, Texas March 22, 2011.



SIDNEY A. FITZWATER
CHIEF JUDGE